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ERW

Docket No.: 20347 US1 (C038435/0128985)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Heinrich BACHMANN *et al.* )  
Serial No.: 10/053,192 ) Examiner: Yong D. Pak  
Filed: January 15, 2002 ) Art Unit: 1652  
For:  $\beta$ ,  $\beta$ -CAROTENE 15,15'- )  
MONOOXYGENASES, NUCLEIC ACID )  
SEQUENCES CODING THEREFOR AND )  
THEIR USE )

New York, New York  
August 3, 2004

**RESPONSE TO OFFICE ACTION INCLUDING AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box. 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed on May 4, 2004 (Paper No. 04252004) and a telephonic Interview between the Examiner and the undersigned conducted on July 22, 2004 ("Interview"). As suggested by the Examiner during the Interview, the following amendments are submitted to place the application in condition for allowance.

The Office Action set a three-month shortened statutory period for response. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before August 4, 2004. No fee is believed to be due. If it is determined that a fee is due, please charge such fee to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Application No.: 10/053,192  
Amendment Dated: August 3, 2004  
Reply to Office Action Dated: May 4, 2004

Please amend the application as follows:

**AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims, which begins on page 3 of this paper.

**REMARKS** begin on page 9 of this paper.